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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,892	07/21/2000	Fatemah H. Akbarian	CLX-501	4785

7590 11/29/2002
Ray K Shahani Esq
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Twin Oaks Office Plaza
477 Ninth Avenue Suite 112
San Mateo, CA 94402-1854

EXAMINER

KUMAR, PREETI

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 11/29/2002

9

Please find below and/or attached an Office communication concerning this application or proceeding.

A89

Office Action Summary

Application No.

09/620,892

Applicant(s)

AKBARIAN ET AL.

Examiner

Preeti Kumar

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-9, 34-53, and 56-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-9, 34-53 and 56-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 4-9, 34-53, 56-62 are pending.
2. The objection of claim 54 is withdrawn in light of applicant's amendment filed September 16, 2002 in paper no.8.
3. The rejection of claims 40-41 under 35 U.S.C. 112, second paragraph, is withdrawn in light of applicant's amendment.
4. The rejection of claims 4-9, 34-36, 38-42 and 46-53 and 56-62 under 35 U.S.C. 102(b) as being anticipated by You et al. (WO 97/27354) is maintained for the reasons cited in the previous office action and further described below.
5. The rejection of claims 37 and 43-45 under 35 U.S.C. 103(a) as being unpatentable over You et al. (WO 97/27354) is maintained for the reasons cited in the previous office action and further described below.

Response to Arguments

6. Applicant's arguments filed September 16, 2002 have been fully considered but they are not persuasive. Contrary to applicants arguments, You et al. do teach pretreatment of localized stains, placing an activator cloth containing an activator solution together with the textile article into a heat resistant containment means. Specifically on page 6, You et al. teach that when treating a fabric (such as a soiled, wrinkled or malodorous garment), the item is first inspected for heavily spotted areas. If none are found, the item being treated is placed in the vapor-venting containment bag of this invention together with the cleaning/refreshment article herein and tumbled in a hot air clothes dryer in the manner disclosed, i.e., the "in-dryer" step. If heavily spotted

areas are found, it is preferred to treat them individually before the in-dryer step. In order to conduct this pre-spotting step, the user has several choices, as follows.

(A) The spots can be individually treated with conventional spot removers using conventional implements such as brushes, sponges, and the like. (B) The spots can be individually treated by laying the spotted area of the fabric over the article herein and pressing downward (Z-direction) with a brush, more preferably with a convex device. (C) In a third and more preferred option, the user is provided with a separate portion of a pre-spotting composition. In-use, this is directed onto the stained area of the fabrics, and worked-in using the convex cleaning device. Optionally, the fabric being treated can be situated over a stain receiver or other absorbent material during this step. This option has the advantage that the liquid composition used in the pre-spotting step can be formulated differently from that used in the in-dryer step. For example, the pre-spotting composition can optionally contain higher solvent levels than the in-dryer composition. Or, the prespotting composition can contain peroxides, surfactant levels, and the like, which are sub-optimal for use in the in-dryer step. Alternatively, the pre-spotting and in-dryer compositions can be the same. However, the formulator has more degrees of freedom when operating in this manner. After this pre-spotting step, the fabric and cleaning/refreshment article are then placed loosely in the vapor-venting containment bag herein and tumbled together, preferably in a hot air clothes dryer. Please see all of page 6. Clearly, You et al. teach pretreatment of localized stains. Specifically regarding the activator cloth, You et al. teach a stain receiver comprising Functional Absorbent Materials ("FAM's") which are in the form of water-absorbent foams having a controlled

Art Unit: 1751

capillary size. The physical structure and resulting high capillarity of FAM-type foams provide very effective water absorption, while at the same time the chemical composition of the FAM typically renders it highly lipophilic. Thus, the FAM can essentially provide both hydrophilicity and lipophilicity simultaneously. (FAM foams can be treated to render them hydrophilic. Both the hydrophobic or hydrophilic FAM can be used herein.) For pre-spotting, the stained area of the garment or fabric swatch is placed over a section of FAM, followed by treatment with an aqueous or non-aqueous cleaning solution in conjunction with the use of the cleaning device herein to provide mechanical agitation. Repeated rocking with the device and the detergency effect of the solution serve to loosen the soil and transfer it to the FAM. While spot cleaning progresses, the suction effects of the FAM capillaries cause the cleaning solution and stain debris to be carried into the FAM, where the stain debris is largely retained. At the end of this step the stain as well as almost all of the cleaning solution is found to have been removed from the fabric being treated and transferred to the FAM. This leaves the fabric surface only damp, with a minimum residue of the cleaning solution/stain debris which can lead to undesirable rings on the fabrics. Please see page 33, second and third paragraphs. As for the argument that the use as a pretreater and the use of a stain receiver are "optional", the examiner redirects the applicant's attention to examples V and XI as stated in the previous office action. Furthermore, specifically regarding newly added claims 59-62, examiner asserts that example V and XI as recited in the previous office action encompasses the limitations of these newly added claims.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Preeti Kumar whose telephone number is 703-305-0178. The examiner can normally be reached on M-F 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 703-308-4708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9309.

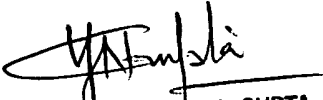
Application/Control Number: 09/620,892

Page 6

Art Unit: 1751

Preeti Kumar
Examiner
Art Unit 1751

PK
November 25, 2002



YOGENDRA N. GUPTA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700